

§64.3 Submission of application.

A foreign government intending to provide grants or other assistance to facilitate the participation of Federal employees in a program of cultural exchange shall submit to the Department of State an application for approval of the program through its embassy, mission, or office at Washington, D.C. If there is no embassy, mission, or office at Washington, D.C., of the foreign government the application may be submitted by the home office or headquarters of the foreign government. The application shall be addressed to the Secretary of State.

§64.4 Contents of application.

The foreign government shall provide information in the application showing that its program meets the criteria set forth in §516.5, and shall include in such application the following:

- (a) Name and description of the program and the provisions of legislation or regulation authorizing the program;
- (b) Number of annual U.S. citizen participants expected, including the number of U.S. Federal employees;
- (c) Average duration of stay abroad;
- (d) Department of State of the foreign government responsible for the program;
- (e) Name and address of contact in the United States with whom communication may be made with respect to the program; in the absence of such a contact in the United States, the name and address of a contact in the home office or headquarters of the foreign government.

§64.5 Criteria for approval of program.

To obtain approval of its program of cultural exchanges, a foreign government is required to show that:

- (a) The cultural exchange program is of the type described in section 102(a)(2)(i) of the Act;
- (b) The cultural exchange program is conducted for a purpose comparable to the purpose stated in section 101 of the Act; and
- (c) A grant under such program will not provide assistance with respect to any expenses incurred by or for any member of the family or household of such Federal employee.

§64.6 Request for further information.

The Department of State may request the foreign government to supply additional information.

§64.7 Approval of application.

The Secretary of State shall review the application and if satisfied that the criteria of §516.5 are met shall inform the foreign government of the approval of its program.

§64.8 Obligation of employee to advise agency.

Any Federal employee receiving any offer of a grant or other assistance under a cultural exchange program approved by the Secretary of State shall advise the employee's agency of such offer and shall not accept such offer unless the employee's agency states that it has no objection to such acceptance. In the case of the Department, an employee shall advise the DAEO who may, after consultation with appropriate officials of the Department, furnish a "no objection" statement.

[44 FR 42247, Sept. 20, 1978. Redesignated and amended at 64 FR 54540, Oct. 7, 1999]

§64.9 Termination of approval.

If at any time it appears to the Secretary of State that the purpose of a program which has been approved has been changed so that it no longer meets the criteria of §516.5 or that the program is being misused, the Secretary of State may terminate such approval, or suspend such approval pending the supplying of additional information. However, a termination or suspension shall not affect a grant which has been made under a previously approved program.

§64.10 Grant not to constitute a gift.

A grant made under an approved program shall not constitute a gift for purposes of 22 CFR 10.735-203 and section 7342 of title 5, United States Code.

PART 65—FOREIGN STUDENTS

Sec.

- 65.1 Regulations to be drafted.
- 65.2 Applications.
- 65.3 Reference of applications.